

**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF PENNSYLVANIA**

MORRIS J. WARREN,

Petitioner,

v.

B.A. BLEDSOE, Warden,

Respondent.

Case No. 3:08-CV-1657  
(Judge Kosik)


**ORDER**

NOW, this 14<sup>th</sup> day of December, 2009, IT APPEARING TO THE COURT THAT:

- (1) On September 5, 2008, the petitioner, Morris J. Warren, filed the above-styled Petition for Writ of Habeas Corpus pursuant to 28 U.S.C. § 2241 (Doc. 1);
- (2) On November 19, 2009, we adopted the Magistrate Judge's Report and Recommendation and denied the Petition;
- (3) Although the Petition was filed pursuant to 28 U.S.C. § 2241, the Magistrate Judge construed the Petition as one under 28 U.S.C. § 2254;
- (4) In adjudicating a petition pursuant to § 2254, the district court must determine whether to issue a certificate of appealability;

ACCORDINGLY, IT IS HEREBY ORDERED THAT:

- (1) For the reasons stated in our November 19, 2009 Memorandum and Order (Doc. 21), a certificate of appealability will not be issued.

  
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Edwin M. Kosik  
United States District Judge